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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/548,707	04/13/2000	Christopher J. Scott Dougall	P966	6702

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EXAMINER

BAROT, BHARAT

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 05/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/548,707

Applicant(s)

DOUGALL, CHRISTOPHER J.
SCOTT

Examiner

Bharat N. Barot

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21, 26, 27, 33, 55 and 63-76 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21, 26-27, 33, 55, and 63-76 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

RESPONSE TO AMENDMENT

1. Claims 21, 26-27, 33, 55, and 63-76 remain for further examination.

The new grounds of rejection

2. Applicants' amendments and arguments with respect to claims 21, 26-27, 33, 55, and 63-76 filed on January 26, 2006 have been fully considered but they are deemed to be moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 103(a)

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 21, 26-27, 33, 55, and 63-76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wright et al (U.S. Patent No. 6,442,598).

Wright teaches the invention substantially as claimed including a system and method for delivering web content over a broadcast medium (see abstract).

Art Unit: 2155

5. As to claim 21, Wright discloses a client device comprising: a display for displaying a program guide transmitted from a server system, the program guide listing a plurality of identifiers, each identifier respectively identifying one of a plurality of content streams transmittable from the server system, and an approximate time of transmission for each such content stream (figures 3, 5-6; column 7 lines 8-43; column 7 line 66 to column 8 line 8; column 10 lines 25-44 Wright discloses a broadcast schedule window is presented to the user having link identifiers for each of a plurality of content streams transmittable to the client); a graphical user interface for enabling the user of the client device to select one or more of the content streams by selecting the respective client identifier listed in the program guide (figures 3-4; column 11 line 32 to column 12 line 67, Wright discloses a filter to select the content streams by selecting the URL/link); a storage device for storing the selected ones of the plurality of content streams transmitted from the server system (figure 4; column 11 lines 51-58; column 12 lines 20-50, Wright discloses that a client cache stores the downloaded file packages selected by the filter); wherein the graphical user interface is operable to enable selective receipt of specific ones of the plurality of content streams by storing in the storage device only those of the content streams transmitted from the server system to the client device that were previously selected by the user, and by ignoring other content streams transmitted from the server system to the client device but not selected by the user, whereby the other content streams are not stored in the storage device (column 12 lines 20-50, Wright discloses that a filter ignores content not selected for download by the user and downloads content selected by the user).

However, Wright does not explicitly disclose that the display is operable to display a window showing each selected content stream and its receipt status, but discloses that the display is operable to display a window showing information related to the subscription term and frequency of distribution (column 11 line 59 to column 12 line 7).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wright by specifying a graphical display of receipt status for the selected content streams because it would have motivated to do so to provide a graphical feedback of whether the selected content streams is completely download or not.

6. As to claims 27 and 55, they are also rejected for the same reasons set forth to rejecting claim 21 above, since claims 27 and 55 do not teach or disclose any new limitations than the apparatus defined in the claim 21.

7. As to claim 26, it is also rejected for the same reasons set forth to rejecting claim 21 above. However, Wright does not explicitly disclose that the automatically launching a content stream upon its receipt, but discloses that a browser access the pages (content streams) and render them on the client (column 12 lines 45-62; column 13 lines 7-19).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wright by specifying a graphical user interface is operable to receive the user's selection for automatically launching a content stream upon its receipt because it would have motivated to do so to provide a quick access to the selected content streams.

8. As to claims 33 and 63, they are also rejected for the same reasons set forth to rejecting claim 26 above, since claims 33 and 63 do not teach or disclose any new limitations than the apparatus defined in the claim 26.

9. As to claims 64-66, they are also rejected for the same reasons set forth to rejecting claim 21 above. Additionally, Wright discloses that the plurality of content streams includes a first content stream having content other than web pages (links or URL), and the client device is operable to process the first content stream (column 4 line 65 to column 5 line 3; columns 7-9).

However, Wright does not explicitly disclose that the first content stream includes information requiring decrypting and decompressing, and the client device is operable to decode and decompress the information, but discloses that the first content stream includes sufficient information for the client to decide whether to receive the content stream (column 9 line 61 to column 10 line 7).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wright by specifying sufficient information is information requiring decrypting and decompressing, and the client device is operable to decode and decompress the information because it would have motivated to do so to provide a better security protection to the selected content streams.

10. As to claims 67-70, they are also rejected for the same reasons set forth to rejecting claims 64-66 above, since claims 67-70 do not teach or disclose any new limitations than the apparatus defined in the claims 64-66.

11. As to claim 71, it is also rejected for the same reasons set forth to rejecting claim 21 above. However, Wright does not explicitly disclose that the graphical user interface is operable to receive the default set of at least one content stream independently of user selection, but It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wright by specifying a graphical user interface is operable to receive the default set of at least one content stream independently of user selection because it would have motivated to do so to provide a quick access to the selected content streams.

12. As to claims 72-73, they are also rejected for the same reasons set forth to rejecting claim 71 above, since claims 72-73 do not teach or disclose any new limitations than the apparatus defined in the claim 71.

Art Unit: 2155

13. As to claim 74, it is also rejected for the same reasons set forth to rejecting claim 21 above. However, Wright does not explicitly disclose that the plurality of content streams is a repeat job scheduled for transmission at the respective approximate time, the repeat job re-scheduling itself for transmission again at a letter time, but discloses that continuously cycles through the files in the store and broadcasts them multiple times between updates from the server (column 11 lines 7-16).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wright by specifying cycle is a repeat job scheduled for transmission at the respective approximate time, the repeat job re-scheduling itself for transmission again at a letter time because it would have motivated to do so to provide a better reliability in case of major losses in the transmission stream and in case of the client not being available to receive the transmissions.

14. As to claims 75-76, they are also rejected for the same reasons set forth to rejecting claim 74 above, since claims 75-76 do not teach or disclose any new limitations than the apparatus defined in the claim 74.

Response to Arguments

15. Applicant's arguments with respect to claims 21, 26-27, 33, 55, and 63-76 filed on January 26, 2006 have been fully considered but they are not deemed to be persuasive and deemed to be moot in view of the new grounds of rejection.

16. Applicant's arguments have been fully considered. The examiner has attempted to answer the remarks in the body of the Office action.

17. Applicant's amendment necessitated the new grounds of rejection. Accordingly, THIS ACTION IS MADE FINAL. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2155

Contact Information

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bharat Barot** whose Telephone Number is **(571) 272-3979**. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM. Most facsimile-transmitted patent application related correspondence is required to be sent to the Central FAX Number **(571) 273-8300**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Saleh Najjar**, can be reached at **(571) 272-4006**.

Patent Examiner Bharat Barot

Art Unit 2155

May 04, 2006

Bharat Barot.
BHARAT BAROT
PRIMARY EXAMINER